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Fifty-second session
Item 15 of the provisional agenda

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-SEVENTH SESSION

Joint written statement submitted by the International Abolitionist Federation, International Alliance of Women - Equal Rights, Equal Responsibilities, International Council of Women, Women's International Democratic Federation, World Federation of Trade Unions, World Federation of United Nations Associations, World Veterans Federation and Zonta International, non-governmental organizations in consultative status (category I), the African Association of Education for Development, Baha'i International, Community Coordinating Board of Jewish Organizations, Education International, General Arab Women Federation, International Association of Democratic Lawyers, International Council of Jewish Women, International Federation of Resistance Movements, International Movement for Fraternal Union among Races and Peoples, International Organization for the Elimination of All Forms of Racial Discrimination, Lutheran World Federation, Pax Romana, Socialist International Women, Women's International League for Peace and Freedom, Women's International Zionist Organization, Women's World Summit Foundation, World Alliance of YMCAs, World Association of Girl Guides and Girl Scouts, World Federation for Mental Health, World Federation of Methodist Women, World Jewish Congress, World Union of Catholic Women's Organizations and World Vision International, non-governmental organizations in consultative status (category II), the International Movement against All Forms of Racism and Racial Discrimination and the Movement against Racism and for Friendship among Peoples, non-governmental organizations on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[6 March 1996]

GE.96-11846 (E)

1. The signatory NGOs note with great concern that suggestions have been mooted and a specific proposal made to the United Nations Economic and Social Council, that the Sub-Commission on Prevention of Discrimination and Protection of Minorities no longer be convened on an annual basis but that instead it meet biennially.

2. This is not the first time that the role of the Sub-Commission and the frequency of its meetings have been called into question. Almost 10 years ago, the Sub-Commission's thirty-ninth session was suspended or "postponed" in 1986 owing to the financial crisis of the United Nations, together with significant cuts in sessions allocated to other human rights bodies.

3. In response, a seminar on Human Rights in the United Nations was convened by the Special Committee of International Non-Governmental Organizations on Human Rights (Geneva) whose participants included a majority of the then members of the Sub-Commission.

4. The seminar noted, inter alia, that human rights is a priority mandated by the Charter and decisions as to the best method of implementing that mandate should be made on the basis of programme effectiveness and not solely on the basis of cost. The view was expressed that the interruption of the essential work of the Sub-Commission constituted a serious threat to one of the most productive and innovative sources of human rights action in the United Nations system and represented a serious blow to the cause of human rights.

5. At a follow-up meeting to reflect on the future of the Sub-Commission held at the University of Limburg in December 1997, the Sub-Commission's function was seen as primarily to serve as a "think-tank" of independent experts with a broad mandate to contribute to the development of a partnership between the Commission on Human Rights, itself, the Secretariat and the NGO community.

6. The Sub-Commission has been more particularly engaged in this context in the following areas:

(a) The conduct of research and studies;

(b) Standard-setting in coordination with the Commission on Human Rights;

(c) Thematic inquiries into problem areas, such as slavery-like and exploitative practices, and states of emergency;

(d) Elaboration of human rights principles and guidelines;

(e) Devising more effective responses to violations of human rights;

(f) Protection of indigenous peoples and other vulnerable groups.

7. Considerable progress has been achieved in recent years in clarifying the relationship between the Commission on Human Rights and the Sub-Commission, notably pursuant to Commission on Human Rights resolution 1991/56.

8. Systematic review of the methods of work of the Sub-Commission by successive sessional and inter-sessional working groups of its members, and in particular under resolution 1992/66 of the Commission, has likewise enabled significant advances to be recorded with respect to the following major issues:

(a) Rationalization of the methods of work of the Sub-Commission;

(b) Restructuring of its agenda initiated primarily by a group of 29 non-governmental organizations (see document E/CN.4/Sub.2/1991/NGO/21);

(c) Improvement of the coordination with the Commission on Human Rights and other competent human rights bodies and in particular with the Committee on the Elimination of Racial Discrimination supervising the International Convention on the Elimination of All Forms of Racial Discrimination;

(d) Strengthening the independence of the Sub-Commission's experts.

9. Indeed, a unique role may be emerging for the Sub-Commission as the body of independent experts whose broad mandate could embrace a coordinating and research role in association with the Centre for Human Rights, for the Commission, the treaty bodies as appropriate (notably CERD and the Human Rights Committee supervising the International Covenant on Civil and Political Rights). In this connection, the Sub-Commission could be expected to assume an increasingly important coordinating role with respect to the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and the instruments being developed in this field by the Council of Europe and the Organization for Security and Cooperation in Europe.

10. Accordingly, the NGOs signatories to this written declaration urge the fifty-second session of the Commission on Human Rights to reaffirm the importance of the Sub-Commission's role as an integral part of the United Nations human rights programme and to recommend to the Economic and Social Council that the Sub-Commission continue to play its essential part in the promotion and protection of human rights at its regularly held annual session.